United Nations A/HRC/34/53/Add.2

General Assembly

Distr.: General
11 January 2017

Original: English

Human Rights Council
Thirty-forth session
27 February-24 March 2017
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Report of the Special Rapporteur on minority issues on her mission to the Republic of Moldova

Note by the Secretariat

The Special Rapporteur on minority issues, Rita Izsák-Ndiaye, conducted an official visit to the Republic of Moldova from 20 to 29 June 2016.

The Republic of Moldova is a multi-ethnic, multireligious and multicultural society with a considerable legal framework for the protection of minority rights; nevertheless, the lack of institutional attention and dedicated budget provisions, compounded by the recent economic crisis, remain major obstacles for its proper implementation.

The Special Rapporteur observed that language issues, especially in the context of education, featured prominently in the consultations held. The use of mother tongue is highly important and emotive for many communities and an essential aspect of personal and community identity. Concerns regarding poor quality of State language education in minority language schools were universally voiced.

Consultations with religious minorities showed that in most of the country peaceful interreligious relations prevail, although some incidents of racial profiling and religious motivated attacks against Muslim and Jewish communities were reported. It was further noted that the media does not seem to reflect the diversity inherent to the country and in some instances propagates negative and demeaning stereotypes about some minority groups, in particular Muslim and Roma communities.

Roma communities continue to experience entrenched economic, social and political marginalization and are often victims of discrimination, particularly when gaining access to the labour market, education and health-care services.

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* Circulated in the language of submission and Russian only.

I. Introduction

1. The Special Rapporteur on minority issues conducted an official visit to the Republic of Moldova from 20 to 29 June 2016, at the invitation of the Government. She visited Chisinau and various regions and localities with minority populations, including the Autonomous Territorial Unit of Gagauzia, Balti, Chetrosu, Edinet, Hincauti, Orhei, Otaci, Schinoasa, Soroca, Taraclia, and the Transnistrian region of the Republic of Moldova. She consulted widely with hundreds of stakeholders, including ministers and senior government officials of the Ministries of Foreign Affairs, Education, Justice, Labour and Social Protection, and Culture, the Deputy Bashkan of Gagauzia and the de facto authorities of the Transnistrian region of the Republic of Moldova. She met with representatives of the Bureau of Inter-Ethnic Relations, the Equality Council, the People's Advocate Office, the General Prosecutor's Office, the National Bureau of Statistics and the Constitutional Court. She consulted with representatives of civil society and minority communities, religious leaders, political actors, members of the diplomatic community, representatives of United Nations bodies and other national and international actors.

2. The Special Rapporteur met with representatives of various ethnic communities, including those who identify as Armenians, Azeris, Belarusians, Bulgarians, Gagauzis, Germans, Georgians, Turkish, Poles, Roma, Romanians, Russians and Ukrainians. She consulted with members and representatives from religious communities, including Adventists, Baptists, Catholics, Jews, members of the Bessarabian Metropolitan Church, Falun Dafa and the Unification Church. She also consulted with comparatively new communities, such as Afro-descendants and Muslims. She also met with many who identify clearly as Moldovan majority and with Moldovan Orthodox Church leaders to seek their views. She thanks the Government for their openness and frank discussions and all of those who consulted with her and provided valuable information.

3. Lack or limited financial resources to implement measures relating to minority rights featured almost universally when consulting with interlocutors from the central Government, local authorities and minority representatives. Despite important steps in poverty reduction, with a significant drop in the national poverty rate from 68 per cent in 2000 to 11.4 per cent in 2014,[1] the Republic of Moldova remains one of the poorest countries in Europe, ranking 107 out of 188 countries in the Human Development Index.[2] High rates of labour-related emigration,[3] mainly to neighbouring countries, have resulted in the loss of young and skilled workers, and numerous testimonies received during the visit indicated that minority young people may be particularly affected by migration.

4. Worsening economic conditions and corruption scandals have led to grievances and a general distrust in politicians and political structures. It is essential to consider the economic dimension of the current situation and for the Government to implement measures to guarantee equality and social, economic and cultural rights and to combat

[1] See World Bank Group, "Moldova Poverty Assessment 2016, Poverty Reduction and Shared Prosperity in Moldova: Progress and Prospects" (2016), p. x. Available from http://documents.worldbank.org/curated/en/168451467995808859/pdf/105722-WP-P151472-PUBLIC-Moldova-Poverty-Assessment-2016.pdf.

[2] United Nations Development Programme (UNDP), *Human Development Report 2015* (New York, 2015).

[3] See World Bank Group, "From Aspirations to Occupations: The Role of Information in Educational and Labor Market Decisions in Moldova" (2016), p. 7. Available from http://documents.worldbank.org/curated/en/508751468195577069/pdf/106494-WP-P152911-PUBLIC-From-Aspirations-to-Occupations.pdf.

corruption and the mismanagement of resources as a means of increasing trust in political leadership. The Special Rapporteur notes that, while economic constraints may have an impact on availability of resources, this should not be used as a justification for a lack of funding allocation, including for measures to ensure minority rights.

5. While recognizing that each State can decide how to implement minority rights in practice, the Special Rapporteur stresses that realizing the rights of minorities is not only an essential means to prevent tensions from emerging but also an instrumental element of good governance and conflict prevention. Moreover, the progressive implementation of economic, social and cultural rights is a positive and undebatable State obligation under international human rights law, and hence any regression on those rights will amount to a violation of the law. These are compelling reasons to make minority rights protection and promotion a robust part of the human rights agenda of the Government.

6. The results of a census conducted in 2014 have yet to be made public. Data from the 2004 census[4] refers to the ethnic composition of the Republic of Moldova as 75.8 per cent Moldovan; 8.4 per cent Ukrainian; 5.9 per cent Russian; 4.4 per cent Gagauz; 2.2 per cent Romanian and 1.9 per cent Bulgarian, with other nationalities accounting for less than 1 per cent of the population. In terms of religious affiliation, 93.3 per cent belong to the Moldovan Orthodox Church, while minority religious groups include Baptists (1 per cent), Seventh-day Adventists (0.4 per cent), Pentecostals (0.3 per cent), Old Rite Christians (0.15 per cent), Evangelical Christians (0.15 per cent) and others (1.1 per cent). Of the total number of the census respondents, 1.4 per cent declared themselves to be atheists or non-religious.

7. The Special Rapporteur met with representatives of the National Bureau of Statistics, who informed her that 30 per cent of the data of the 2014 census had already been processed and the full results of the 2014 census were expected to be made public in March 2017. She welcomes the fact that the 2014 census had given individuals the opportunity to self-identify and express multiple identities and that the final results would provide data disaggregated inter alia by gender, ethnicity, language and religious affiliation. She emphasizes the importance of disaggregated data to reveal the status of minorities in relation to other groups and enable legislators and policymakers to establish targeted programmes for them on the basis of their minority status, socioeconomic indicators, gender and other characteristics. She stresses that no undue delays should prevent such important data from being made available publicly as, in the absence of such data, there might be speculation and manipulation relating to the size of certain groups.

8. The Republic of Moldova has historically been a multi-ethnic, multireligious and multicultural society. The individual identities of persons belonging to minorities are often complex and dynamic. Minority identities are multilayered when ethnic minorities belong to another linguistic minority group. Many minority persons have multiple identities also owing to mixed marriages. In some instances, minority groups not only present specific characteristics but often have divisions and fractures within communities, with differing views and concerns voiced by particular sub-groups or segments of communities.

9. The majority of those minority and other representatives consulted in all locations visited described a situation of generally peaceful inter-ethnic and interfaith relations while acknowledging the existence of divisions of groups along ethnic, religious and linguistic lines. Violence, intimidation or aggression on the basis of national, ethnic, linguistic or religious identity of minorities are rare. However, some communities and their members

[4] See National Bureau of Statistics, 2004 Population Census, available from www.statistica.md/pageview.php?l=en&idc=263&id=2208.

noted experiences of discrimination in some spheres of life, and many groups reported experiencing specific instances of stigmatization against them.

10. It is clear that managing such diversity can be complex and challenging. The Special Rapporteur is of the view that the diversity of the Republic of Moldova needs to be valued and promoted as an important asset and strength of the country, and in that regard concurs with the assessment made by the Special Rapporteur on freedom of religion or belief following his visit to the country in 2011.[3] She welcomes the decision by the Government to adopt Holocaust Remembrance Day on 27 January as an official day to commemorate the victims of the Holocaust, and the existence of regular festivals, celebrations and dedicated days organized to appreciate the culture, language, literature or folklore of the various ethnic communities. She considers that, while such measures bear an important symbolic significance, a minority-rights perspective needs to be strengthened considerably in the design and implementation of policies and measures. The legislative and police framework should allow for the recognition of the diversity inherent in the Republic of Moldova and should inform the formulation of cross-integration policies.

II. Methodology

11. The Special Rapporteur's analysis of the Republic of Moldova is based on the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities and other relevant international standards, from which she has identified four areas of concern: (a) the protection of a minority's survival, through combating violence against them and preventing genocide; (b) the protection and promotion of the cultural identity of minority groups and the right to enjoy their collective identity and to reject forced assimilation; (c) the guarantee of the rights to non-discrimination and equality, including ending structural or systemic discrimination and the promotion of affirmative action when required; and (d) the guarantee of the right to effective participation of minorities in public life, especially with regard to decisions that affect them. She applies a gender perspective in all the areas of her work.

12. The Special Rapporteur notes with concern that the term "minority" was regarded as "derogative" and "discriminatory" by some interlocutors with whom she consulted during her visit. She highlights that there is no internationally agreed legal definition of the term "minority" and that, in the absence of a formal definition, the existence of a minority group can be assessed using objective and subjective criteria elaborated by United Nations independent experts from international standards.[4] Objective criteria include shared characteristics of the group, such as ethnicity, national origin, culture, language or religion. Subjective criteria focus on the principle of self-identification and the desire to preserve the group identity. Furthermore, she notes that the protection of minorities entitles persons belonging to such groups to specific rights, imposing on States concrete obligations to ensure the survival and continued development of the cultural, religious and social identity of the minorities.[5]

13. The Special Rapporteur focuses her work on national, ethnic, religious and linguistic groups, whose generally non-dominant, disadvantaged positions within society require

[3] See A/HRC/19/60/Add.2, paras. 31, 43 and 63.

[4] See, inter alia, Human Rights Committee general comment No. 23 on the rights of minorities, and the commentary of the Working Group on Minorities to the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, E/CN.4/Sub.2/AC.5/2005/2.

[5] See Human Rights Committee general comment No. 23, para. 9.

measures to allow them to exercise all their rights, including minority rights, to the fullest. She acknowledges that the notions of "majority" and "minority" may be changeable and dependable on the particular context, as a group that may constitute a dominant majority nationally or regionally may be numerically inferior and non-dominant in another region. Therefore, minority rights standards must also be applied to those constituting de facto minorities in the localities where they live.

III. Minority rights: legal and institutional framework

14. The Republic of Moldova is a State party to the core international human rights treaties that are most relevant to minority rights, including the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the International Convention on the Elimination of All Forms of Racial Discrimination. The Republic of Moldova is a member of the Council of Europe and has been a State party to Framework Convention for the Protection of National Minorities since 1996. It has signed but not yet ratified the European Charter for Regional or Minority Languages. Article 4.2 of the Moldovan Constitution requires that priority be given to international law in situations of conflict or in case of inconsistency between national and international provisions of human rights.

15. The Constitution establishes the principle of equality and non-discrimination, including on the grounds of race, nationality, ethnic origin, language, religion, sex, opinion, political affiliation, property or social origin (art. 16.2). It also contains provisions on the rights of all citizens to the preservation, development and expression of their ethnic, cultural, linguistic and religious identity (art. 10.2).

16. Article 13.1 establishes that the State language is Moldovan, but the State shall acknowledge and protect the right to the preservation, development and use of "the Russian language and other languages spoken within the territory of the State (art. 13.2). Law No. 1465 on the functioning of the languages spoken in the territory of the Republic of Moldova (1990) recognizes in its article 3 that the State language in Latin alphabet is the only official language and that Russian is the language of inter-ethnic communication. Article 4 of the Law guarantees the use of Ukrainian, Russian, Bulgarian, Hebrew, Yiddish, Romani languages and languages of other ethnic groups living on the territory of the Republic of Moldova, for satisfaction of national-cultural needs.

17. Law No. 382-XV on the rights of persons belonging to national minorities and the legal status of their organizations was adopted in 2001. It defines national minorities as persons who reside on the territory of the Republic of Moldova, have Moldovan citizenship, possess ethnical, cultural and linguistic features that differ from the majority of the population (Moldovans) and consider themselves to be of a different ethnical origin (art. 1). Law No. 382-XV contains relevant provisions with respect to minority rights, including the principle of equality and non-discrimination for persons belonging to national minorities (art. 4); the right to education in Moldovan and Russian and the creation of conditions for mother-tongue education for other groups, including Ukrainians, Gagauz, Bulgarians and Jews (art. 6); the obligation of local administrations with considerable minority groups to publish administrative acts in the language of minorities (art. 8); the right of persons belonging to national minorities to communicate with public institutions in Moldovan and Russian and to obtain a response in the same language of communication (art. 12); the right to freedom of religion of minorities (art. 14); the right to use their names, last names and patronymics in official documents (art. 16); and the appointment of the Department of Inter-Ethnic Relations as the agency responsible for the promotion of the State policy in the field of inter-ethnic relations and the Coordination Council as its advisory body (art. 25).

18. The Bureau of Inter-Ethnic Relations, created in 1991, is the responsible body for the coordination of the policy of the Government on national minorities. Representatives of the Bureau highlighted the need for its institutional strengthening to adequately fulfil its important mandate and noted that, in the past, when the institution held the status of government department, it used to cover a broader portfolio, including religious minority groups and diaspora communities. In particular, it was noted that the institution was understaffed and lacked sufficient funding.

19. In recent years, the Republic of Moldova has taken important steps towards enhancing the protection and promotion of the rights of minorities through the enactment of relevant laws, the establishment of plans and the creation of ad hoc institutions. In 2012, the Law No. 121 on ensuring equality was enacted. It provides a comprehensive framework to combat discrimination and, in 2013, it guided the creation of a specialized body, the Council on the Prevention and Elimination of Discrimination and Ensuring Equality (the "Equality Council").

20. The Special Rapporteur was informed that, although the Equality Council did not have a specific mandate on minority issues, as a specialized body mandated to combat discrimination it played an instrumental role in protecting the rights of persons belonging to minorities. Nevertheless, its representatives noted that the body had not been granted the power to carry out some specific functions that would be necessary to fully perform their duties, including effective sanctioning powers, the possibility of conducting investigation of cases in the field and the ability to address cases to the Constitutional Court. Its representatives further noted the insufficient allocation of resources to the institution, which may result in significant constraints to effectively exercise its functions, and the need for support with regard to translation services. They expressed concern regarding the premises where the Council is located, and the inadequate conditions of the current office in terms of safety, health and accessibility.

21. Following the expiration of the National Human Rights Action Plan 2011-2014, at the time of writing a new Human Rights Plan 2017-2020 was being conceived and was expected to be finalized early in 2017. The Special Rapporteur was informed that a supervisory body to monitor the implementation of the new Plan had been proposed. While welcoming the Plan, the Special Rapporteur highlights the need for sufficient funding to be allocated for its proper implementation and for minority rights to be reflected as an essential component of it.

22. The Roma Action Plan 2016-2020 was adopted in April 2016, following the expiration of the Roma Action Plan 2011-2015. Many stakeholders consulted stated that, despite the fact that the Roma Action Plan had been a positive development for the protection and promotion of Roma rights, the decentralization reform, which had placed the responsibility of implementing a large number of measures in the hands of local administrations, and the lack of sufficient funding, among other factors, had resulted in the Plan being poorly implemented, monitored and assessed. Concerns were expressed that, given the lack of budget provision, the current Plan would face similar challenges. The Human Rights Committee, in its concluding observations, explicitly recommended that sufficient human and financial resources be allocated to effectively implement the new Roma Action Plan 2016-2020.[9]

23. In the Action Programme of the Republic of Moldova for 2016-2018, an entire chapter and several provisions are devoted to national minorities, including the elaboration and implementation of a strategy for the consolidation of inter-ethnic relations for the period 2017-2027. The Special Rapporteur was informed that, at the time of her visit, the

[9] See CCPR/C/MDA/CO/3, para. 12 (b).

strategy was still pending adoption. She welcomes the initiative and recommends that the strategy comply fully with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities. Moreover, she was informed that a national cultural development strategy entitled "Culture-2020" had been approved to preserve cultural diversity and protect the cultural and ethnic identity of national minorities.

24. The Special Rapporteur notes that there is a generally conducive legal and institutional framework on minority rights in the Republic of Moldova. She observed however that the fragmentation of the existing framework and the lack of adequate budgetary provisions for the implementation of the relevant policies and action plans constitute important obstacles for the proper realization of minority rights protection.

IV. Specific areas of concern regarding linguistic rights

A. Education

25. Language issues, especially in the context of education, featured prominently in the consultations held. It was evident that the use of one's mother tongue is highly important and emotive for many communities and is an essential aspect of personal and community identity. As stated by a minority representative, "if you lose your language, you lose your identity". Minority groups with whom the Special Rapporteur met clearly expressed their desire to maintain and protect their language rights and their ability to use their mother tongue. Russian is spoken by a sizeable population in the Republic of Moldova, including by many minority groups, who claimed that they should be allowed to use it freely in private and public without discrimination.

26. The Special Rapporteur was informed about three modalities of minority language schools: (a) those where Russian is the language of instruction, traditionally attended by national minorities; (b) those where Russian is the language of instruction and Ukrainian, Gagauz and Bulgarian are taught as subjects three times per week, and where the history, culture and traditions of Russians, Ukraininans, Gagauz and Bulgarians is also taught once per week; and (c) experimental gymnasiums and lyceums/high schools where primary and secondary education is conducted in Ukrainian or Bulgarian as mother-tongue education.

27. Persons belonging to minority groups, including Bulgarians, Gagauzians, Russians and Ukrainians, expressed their desire to receive education in their mother tongue in schools and their deep concern that the provisions in the 2014 Education Code guarantee the State language only as the language of instruction, raising fears that education in minority languages would be eventually subjected to the availability of financial resources. In Balti, Russian-speaking minority representatives regretted deeply the fact that the new Education Code could result in Russian losing its mandatory status as a subject in State language schools.

28. Some interlocutors pointed out that the process of the school optimization reform was further impacting on their right to receive mother-tongue education, given the requirement for a specific number of students to maintain minority language instruction. Some referred to the optimization reform as having a disproportionate impact on Russian language schools as many of them were being closed down.

29. The Special Rapporteur also learned that the school optimization reform was affecting schools that offered instruction in the State language, such as the Otaci lyceum, where the State language classes were going to be discontinued owing to the fact that the minimum number of students required to maintain the classes, 15, had not been met.

Affected students and parents expressed their profound regret with the decision, which would entail having to travel around 30 kilometres to the nearest State language school.

30. In Gagauzia, the Special Rapporteur was informed that, although education is mainly conducted in Russian, Gagauzian is a mandatory subject in the school curriculum and the 2016 Law on Gagauzian Language and Education adopted by the Gagauzian's Peoples Assembly aims at expanding the scope of Gagauzian to be the language of instruction for some curricular subjects. The Special Rapporteur welcomes the first pilot projects on bilingual education in Gagauzia and stresses that bilingual and multilingual education could be a long-term solution to guarantee the right to mother-tongue education while ensuring the learning of the State language.

31. The importance of learning and having a good command of the State language was universally stated by all the minority representatives consulted. Many interlocutors expressed concerns that the education of the State language provided in minority-language schools was of low quality and that the teachers in charge of the subject did not have the desired qualifications to provide high-quality language instruction. They further emphasized the negative consequences of poor fluency in the State language, including difficulties in gaining access to university education — as the lyceum graduation examination had a specific exam on State language command — and to the labour market, and the limitation of opportunities in the public administration, as proficiency in the State language was required to hold public positions.

32. The Special Rapporteur received several complaints from various interlocutors with regard to the competition for employment of heads of school administration, which is administered in the State language, although this requisite was waived in Gagauzia, where applicants were allowed to take the exam in Russian.

33. Representatives of the Ministry of Education stressed that mother-tongue education was a priority and, while noting the adoption of a plan to improve the quality of State language teachers for minorities, acknowledged the difficulty to implement it given financial constraints.

B. Public administration

34. Other language issues that featured strongly during the visit included the possibility to use Russian when addressing the public administration. Many interlocutors complained of instances in which their written submissions in Russian, including to courts, were either answered in the State language or directly rejected. In fact, representatives of the Equality Council noted that, out of the over 100 decisions issued by the Council to date that found discrimination, more than 10 cases referred to a violation of linguistic rights, mainly the refusal by courts to accept complaints submitted in Russian.

35. Some interlocutors pointed out that certain government websites were not available in Russian, including the Ministries of Culture and the Interior, and the Police, among other agencies.

36. The Special Rapporteur heard complaints by some governmental officials with respect to the cost of the translation of documents into minority languages, which was, in some instances, regarded as a "burden". She would like to recall her 2012 thematic study on the rights of linguistic minorities, in which she noted that the ability of minorities to engage institutions and administrative bodies in minority languages ensured their ability to express their views, participate in consultative process and influence national policy that affects

them and the regions where they live.[9] Furthermore, she emphasized that there are numerous cost-effective methods to fulfil language rights, including translation of key information, web-based resources targeted at minorities and policies of promoting training of minorities and their recruitment at the national and local levels in public institutions.[10]

C. Names and denominations

37. As a result of some amendments to the Law on the Identity Documents and the National Passport System, the Special Rapporteur was informed that the current system for the registration of names and surnames was permitted in the State language and in Latin script only, therefore having an adverse impact on some minority languages. For instance, as the Gagauz alphabet contains some letters that are pronounced differently from the State language, name registration often results in misspelling and/or mispronunciation of Gagauzian names and surnames. Furthermore, some Russian-speaking minority members stated that it was no longer possible for individuals to insert their patronymic name — which is part of the Russian cultural tradition — in their identity card.

D. Health care

38. Some interlocutors pointed to linguistic issues in the area of health care. For instance, in Gagauzia the Special Rapporteur was informed that medicine leaflets were only available in the State language. She was also made aware of the current administrative territorial reorganization process, according to which the emergency care call centre in Comrat would be moved to Cahul, outside the Autonomous Territorial Unit of Gagauzia. Concerns were expressed that such a move might pose a health risk, as a call centre outside Gagauzia would not be able to process telephone calls made in Gagauz, as they are at present.

V. Religious minorities

39. The Republic of Moldova is home to a wide range of religions and belief groups, and the rights of religious minorities seem to be to a large extent respected. Most of the religious representatives consulted indicated that there was a peaceful coexistence among religious groups, although they admitted that there was a lack of mutual knowledge and exchange among them.[11]

40. Concerns were expressed about the dominance of the Moldovan Orthodox Church and its influence in determining societal morals and values. Some interlocutors regretted the fact that, although the Moldovan Constitution enshrines in its article 31 a secular State, the Orthodox Church appears to be given preferential treatment, including through tax exemptions and donations of public property to build temples. It was noted that the explicit acknowledgement in the 2007 Law on Freedom of Conscience, Thought and Belief of the

[9] See A/HRC/22/49, para. 57.

[10] Ibid., para. 77.

[11] The Special Rapporteur was informed of a project called "Sources of Tolerance" organized by the Diversitate Centre for Informal Education and some partners, consisting of an annual inter-ethnic summer camp that brings together young people from various minority communities with the aim of fostering inter-group tolerance and knowledge about the ethnic and religious diversity of the Republic of Moldova. She welcomes the initiative as an example of good practice and stresses the need for such measures in the Moldovan context.

"special importance and leading role of the Orthodox Christian religion and, respectively, of the Moldovan Orthodox Church in the life, history and culture of the Republic of Moldova" (art. 15.5), was seen as justifying a privileged treatment of the Moldovan Orthodox Church over other religious groups.[12]

41. Some interlocutors further criticized the political interference by the representatives of the Moldovan Orthodox Church and recalled the fact that, on 27 April 2016, the Metropolitan of the Moldovan Orthodox Church had been invited to Parliament, where he had called for the abolition of the Equality Law.[13]

42. The Special Rapporteur met with representatives of the Moldovan Orthodox Church to seek their views. They stated that the Orthodox Church had not received any contribution from the Government to build temples and that their funding came from donations and fundraising events. They stressed their strong opposition to the Equality Law and emphasized that, in their view, the Orthodox Church, despite being the majority in the country, is the one discriminated against by minority groups.

43. Several members of the various religious minorities expressed their concerns over their negative portrayal in the media, through broad generalizations of perceived characteristics of the group as a whole. Some of them also noted instances of hate speech and referred to the lack of proper sanctioning of hate speech, which they described as a common practice.

44. A study on equality perceptions and attitudes in the Republic of Moldova[14] revealed that the Muslim community is one of those that suffer the most from severe stereotyping, including their identification as "aggressive", "fanatic", "terrorist" and "extremist". The Special Rapporteur received reports by some representatives of the Muslim community of incidents of religious profiling by law enforcement officers when some individuals who had visited Saudi Arabia for pilgrimage purposes had been subjected to searches and confiscation of books at the airport upon their return.[15]

45. Representatives of the Muslim community also stated that they face obstacles regarding obtaining permission to build mosques, despite the fact that there is no legal impediment. To date, there is no mosque in the Republic of Moldova, which has a negative impact on the right of Muslims to exercise their freedom of religion. It was stated that Muslims rely on informal venues, including those of non-governmental organizations and associations, to meet and pray.

46. Increasing acts of vandalism in Jewish cemeteries, instances of robberies in synagogues, including in the Orhei synagogue in March 2016, and anti-Semitic graffiti were reported by representatives of the Jewish community. It was noted that not all perpetrators of those crimes had been arrested and prosecuted.

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[12] See also A/HRC/19/60/Add.2, para. 28.

[13] Transcript of the speech available in Moldovan from http://parliament.md/LinkClick.aspx?fileticket=oXEckM3h3es%3D&tabid=128&mid=506&language=en-USHttps://promolex.md/1489-declaratie-cu-privire-la-readmiterea-declaratiilor-discriminatorii-in-cadrul-sedintelor-parlamentului-republicii-moldova/?lang=en.

[14] See Office of the United Nations High Commissioner for Human Rights (OHCHR), UNDP and the Equality Council, "Study on Equality Perceptions and Attitudes in the Republic of Moldova" (2015), p. 60, available from http://md.one.un.org/content/unct/moldova/en/home/publications/joint-publications/studiul-privind-perceptiile-i-atitudinile-fa-de-egalitate-in-repu.html.

[15] Contrary to the recommendation of the Human Rights Committee in its concluding observations (see CCPR/C/MDA/CO/3, paras. 11 and 12 (c)).

47. Representatives of Falun Dafa expressed deep concern over the situation of their organization. They reported that in 2014 a court ruling declared the Falun symbol (a swastika) in their textbooks as "extremist" under the Law on Combating Extremist Activities, resulting in the organization being dissolved. The Supreme Court of Justice upheld that decision. In 2015, the Constitutional Court declared unconstitutional the provision in the Law on Anti-Extremism that had led to the organization's dissolution (thus rendering the dissolution groundless) and, at the time of writing, the case was still pending before the Supreme Court of Justice for revision.[16]

48. Representatives of the Unification Church reported the case of two of its leaders who had been arrested on human trafficking charges and held in pretrial detention since October 2015. According to the representatives, the charges had been brought by dissatisfied members of the Church who were seeking to take over the leadership of the organization. It was noted that the Unification Church was registered as a religious organization in 2008 and that until 2015 had conducted its activities without major problems, with the exception of periodic denigrating articles in the media. It was further stated that the arrest of the two leaders had been used by some journalists to spread erroneous information and attacks against the Unification Church. A 2016 report by the organizations Human Rights Without Frontiers and the Forum for Religious Freedom-Europe on the case had concluded that the changes against the leaders were groundless.[17]

49. Representatives of the Catholic Church referred to a pending case filed against the Government with respect to the Church's properties that had been expropriated when the country was part of the Soviet Union, and stated there had been a lack of political will to find a solution.

50. Representatives of the Metropolitan Church of Bessarabia informed the Special Rapporteur about the difficult and lengthy process they had undergone in order to be registered as a religious organization, including filing a case against the Moldovan State to the European Court of Human Rights, given the repeated refusal by the Moldovan authorities to register the Church. In its 2001 ruling, the Grand Chamber of the Court[18] found a violation by the State of the right to freedom of religion of the Metropolitan Church of Bessarabia, which paved the way to the registration of the Church.

51. Concerns voiced by the representatives of the Metropolitan Church of Bessarabia included the Government decision No. 740 of 2002 with respect to the administration of religious buildings considered architectural monuments. It was noted that under the decision, 650 churches belonging to the Metropolitan Church of Bessarabia were transferred to the Moldovan Orthodox Church. The representatives also highlighted their concern that the Church archives were considered State property and that they had not been able to recover nationalized property belonging to the Church. They recommended the adoption of a law to regulate restitution of property, in line with the recommendation made by the Special Rapporteur on freedom of religion or belief.[19]

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[16] See also the submission by the Human Rights Resource Group for the 2016 universal periodic review of the Republic of Moldova, available from www.soros.md/files/publications/documents/UPR_Human%20Rights_2016.pdf.

[17] See https://forefeurope.files.wordpress.com/2016/03/2016-hrwf-foref-report-religious-freedom_moldova-in-the-dock.pdf.

[18] See *Metropolitan Church of Bessarabia and Others v. Moldova*, European Court of Human Rights application No. 45701/99, 13 December 2001, available from http://hudoc.echr.coe.int/eng#{"itemid":["001-59985"]}.

[19] See A/HRC/19/60, paras. 63 and 76.

52. Some minority representatives regretted that the process to register a religious organization in the country continued to be lengthy and burdensome. They reported the persistence of discriminatory provisions against non-citizens in the Law on Freedom of Conscience, Thought and Belief, as a minimum of 100 signatories citizens of the Republic of Moldova are needed to proceed to register a religious organization.

VI. Roma

53. During the course of the visit, the Special Rapporteur had the opportunity to meet with various Roma communities in different localities, including Soroca, Otaci, Schinoasa and Chetrosu.

54. There is no exact number of the Roma population in the Republic of Moldova. According to the 2004 census, Roma represent 0.4 per cent of the population, which is around 12,000 people. This figure is not regarded as representative given the reluctance among Roma to self-identify as such due to strong stigma,[20] and the potential deficiencies in the 2004 census. According to estimates of the Bureau of Inter-Ethnic Relations, there are 20,000 Roma, while some unofficial estimates by Roma leaders raise that figure to 250,000. Lack of accurate figures on Roma in the Republic of Moldova poses a serious challenge for planning and implementing an adequate governmental response to the existing problems.

55. The economic, social and political marginalization of Roma and instances of discrimination and xenophobia against their communities were reported by Roma representatives. The Special Rapporteur also received disturbing allegations of instances of abuse and discrimination against Roma by law enforcement officers. One Roma individual stated: "we are still treated like second-class citizens".

56. Reports indicate that, in addition to discrimination in gaining access to the labour market and at the workplace, Roma can be discriminated against in education and health-care institutions.[21] Roma communities are also disproportionately affected by poverty, with more than 50 per cent of Roma households ranking in the poorest wealth segments of the population.[22]

57. The persistence of entrenched stereotypes of and prejudice against Roma, including in the media, was reported as one of the main drivers leading to prejudices, stigmatization and discrimination. In fact, negative perceptions of Roma by the population are widespread: almost 67 per cent of respondents to a survey held the view that the majority of Roma did not work but earned money illegally, including through human and drug trafficking; around 78 per cent held the opinion that Roma usually looked for easy ways to earn money, including through tricks and cheating; and 55 per cent considered that Roma did not send their children to school as a matter of principle, because of their traditions.[23]

58. A different study concluded that the acceptance of Roma people had dropped from 21 per cent in 2010 to 12 per cent in 2014, meaning that only 12 per cent of the respondents

[20] See UNDP, *Roma in the Republic of Moldova* (Chisinau, 2007), p. 34, available from www.undp.md/publications/roma%20_report/Roma%20in%20the%20Republic%20of%20Moldova.pdf.

[21] See L. Malcoci, *Perceptions of the Population of the Republic of Moldova on Discrimination. Sociological Study* (Soros Foundation-Moldova, 2011), p. 25.

[22] See United Nations Children's Fund (UNICEF) et al., *Republic of Moldova: Multiple Indicator Cluster Survey 2012, Final Report*, (Chisinau, 2014) p. 15 available from http://mics.unicef.org/surveys.

[23] See "Study on Equality Perceptions" (footnote 14 above), pp. 39 and 40.

would accept Roma as neighbours, colleagues, friends or family members. That study revealed that a quarter of the respondents thought that Roma should be forced to live in segregated areas because of the perception that they did not integrate, and a fifth stated that Roma should not be allowed in some buildings.[24] In fact, during the consultations held, the Special Rapporteur was informed of a case in which a Roma man had been denied access to a public swimming pool in the locality of Drochia. He took his case to court, which ruled in his favour.

59. The lack of municipal property registration and identity documents were raised repeatedly by interlocutors as having a negative impact on the ability of Roma communities to exercise their rights, including to education, health care and social services. The Special Rapporteur was informed that, although some measures had been taken to address the problem, including the temporary free issuance of identity documents to Roma people, the issue still persists.

60. Following the completion of the Roma Action Plan 2011-2015, which established a number of priority areas to protect the rights of Roma and promote their inclusion in society, including in education, health, housing, employment, culture, media and public administration, the Roma Action Plan 2016-2020 was adopted in April 2016.

61. Many stakeholders with whom the Special Rapporteur consulted stated that, despite the fact that the earlier Roma Action Plan had been a positive development for the protection and promotion of Roma rights, the decentralization reform, which placed the responsibility of implementing a large number of measures in the hands of local administrations and the lack of sufficient funding, among other factors, had resulted in the Plan being poorly implemented, monitored and assessed. In fact, an assessment by the Bureau of Inter-Ethnic Relations revealed that only 37 per cent of its provisions had actually been implemented. Concerns were expressed that, given the lack of budget provision, the current Plan would face similar challenges.

A. Roma children

62. The situation of Roma children is of particular concern. According to UNICEF,[25] Roma children, together with the poorest children and children with disabilities, are worst off in the Republic of Moldova. A child from a Roma community is less likely to have access to health services and more likely to die young. In fact, the Special Rapporteur was made aware of some serious cases regarding Roma children and was distressed to learn of a particular case of a Roma baby with a heart condition who had died after being refused an operation because he had not been registered.

63. There are stark differences in access to health care between Roma and non-Roma groups. According to the World Health Organization,[26] Roma children are less immunized, with 11 per cent of Roma children under 14 years not vaccinated at all, in comparison with 3 per cent of non-Roma children. The reasons mentioned by Roma respondents include lack

[24] See I. Malcoci and A. Barbarosie, *The Phenomenon of Discrimination in Moldova: Perceptions of the Population, A Comparative Study*, (Institute for Public Policy, Chisinau, 2015) p. 31, available from www.soros.md/files/publications/documents/The%20Phenomenon%20of%20Discrimination%20in%20Moldova.pdf.

[25] UNICEF Moldova, "Children of Moldova", available from www.unicef.org/moldova/Children_of_MD_for_web.pdf.

[26] See World Health Organization, *Barriers and facilitating factors in access to health services in the Republic of Moldova*, (Copenhagen, 2012) p. 53. Available from www.euro.who.int/__data/assets/pdf_file/0018/183510/e96775-final.pdf.

of health insurance and information. In fact, reports show that the insurance coverage rates for Roma groups are low, and those groups lack access to medicines and report difficulties in seeing a doctor when needed.[27]

64 In the field of education, the Special Rapporteur was informed that there exist issues with regard to school enrolment, as some Roma children do not attend school regularly owing to the seasonal work of their parents abroad, and some have never been enrolled. Drop-out rates among Roma students were reported to be significantly high. According to data from UNICEF, Roma children are most likely to be out of school in the Republic of Moldova, with 43 per cent of Roma children aged 7-15 not enrolled in school.[28]

65. The Special Rapporteur received credible testimonies of discrimination against Roma children in school, including placing them at the back of the class and being targets of degrading treatment by teachers, non-Roma schoolmates and their parents. She was also informed about the situation of Roma children with disabilities, which is of particular concern given the lack of awareness of their specific needs and challenges and the insufficient financial support provided to them.[29]

66. The Special Rapporteur was pleased to learn about important initiatives that have been implemented to combat discrimination of Roma children and improve their access to education. In particular, she would like to commend the efforts undertaken by local authorities, Roma communities and United Nations actors, including OHCHR, to desegregate schools and promote the participation of Roma children in the school system along with non-Roma students on an equal basis. She visited the Otaci lyceum, where that initiative had proved successful in achieving higher attendance rates in school and had served to combat stereotypes and foster mutual understanding. She encourages authorities to continue efforts to achieve complete desegregation of schools across the country.

67. The Special Rapporteur was informed that, in certain municipalities, vulnerable children, including Roma children, are exempted from kindergarten fees and receive free breakfast. Such measures had been implemented for example in Otaci and had had a positive impact in increasing school attendance rates. The initiative should be further promoted in a systemic manner.

B. Roma women and girls

68. Roma women and girls have been described as one of the most disempowered groups in the Republic of Moldova.[30] They present lower levels of education, higher unemployment rates, lower levels of income and poorer health status than the rest of the population. Roma women are subjected to multiple forms of discrimination both on the basis of their gender and ethnicity.

69. Reports[31] demonstrate that, while obstacles to gaining access to education are significant for all Roma children, some aspects with respect to the lack of realization of the

[27] See D. Mihailov, *The health situation of Roma communities: analysis of the data from the UNDP/World Bank/EC Regional Roma Survey*, (UNDP, 2012). Available from www.undp.org/content/dam/rbec/docs/The-health-situation-of-Roma-communities.pdf.

[28] Ibid.

[29] See also the report of the Special Rapporteur on the rights of persons with disabilities on her mission to the Republic of Moldova, A/HRC/31/62/Add.2, para. 40.

[30] United Nations Entity for Gender Equality and the Empowerment of Women (United Nations-Women), UNDP and OHCHR, "Study on the Situation of Romani Women and Girls in the Republic of Moldova" (2014), available from www.un.md/docsandpub.

[31] Ibid.

right to education are clearly gendered. Child marriage exists in many Roma communities and married adolescent Roma girls often abandon school and take a subservient role in the family, resulting in Roma girls being particularly vulnerable to dropping out of school and experiencing lower rates of education, with social exclusion and health impacts.

70. Roma representatives expressed their concern over the fact that Roma are largely absent from decision-making processes and public life, both at the local and central levels. This is particularly acute in the case of Roma women.[32] While there have been some encouraging advancements, including the election in 2015 of the first two Roma women as local councillors, the participation of Roma women is extremely low in comparison with Roma men and non-Roma communities.

C. Roma community mediators

71. One of the key measures of the previous Roma Action Plan that is also included in the current one was the establishment of a network of Roma community mediators in over 40 targeted communities with significant Roma population, tasked with facilitating the interaction and building bridges between Roma communities and the public authorities. During the visit, it was made clear that community mediators were instrumental in facilitating the social integration of Roma communities. They generally enjoyed a high degree of acceptance and were respected by both Roma and local authorities and their work seemed to be yielding tangible results.

72. The Special Rapporteur was deeply impressed by the dedication and commitment of the Roma mediators to improve the conditions for the Roma communities. In Otaci, she received reports that, thanks to the work of the mediator, Roma parents had started to take their children to kindergarten and that there had been an increase in the number of Roma students attending school. In Chetrosu, the work of the mediator together with Roma parents and local authorities has resulted in all Roma children in the village being enrolled in school. She received similar information with respect to the mediators working in Balti and Schinoasa.

73. Nevertheless, the mediators face serious challenges in performing their functions. In fact, the total number of Roma community mediators, which had been initially intended to be 48, was never met. Moreover, the number of mediators has been significantly decreasing in recent years. Many interlocutors stated that the decentralization reform had left the power to decide about the hiring of mediators in the hands of the local municipalities, which currently suffer from severe budget constraints, inadequate understanding and political will on Roma integration, resulting in the decrease of hired mediators. In addition, the salaries that mediators receive are extremely low, making the job unattractive given the challenges involved. At the time of the visit, fewer than 10 remunerated full-time mediators were working with Roma communities in the country.

74. The Special Rapporteur stresses the instrumental role of community mediators in building bridges between Roma and non-Roma communities and facilitating the social inclusion of Roma, and emphasizes the need to take measures to fill all vacant positions and that sufficient funding be allocated to secure their salaries so they can fully and effectively perform their functions.

[32] See the concluding observations of the Committee on the Elimination of Discrimination against Women on the combined fourth and fifth periodic reports of the Republic of Moldova (CEDAW/C/MDA/CO/4-5), para. 23.

VII. Public participation of minorities

75. Full and equal participation of minorities in public life, including political participation at the national, regional and local levels, is a fundamental pillar of minority rights.

76. A key issue stressed by the vast majority of interlocutors was the underrepresentation of minorities in political institutions, particularly in the central Government, and what was described by some as the marginalization and exclusion of regions with relevant minority populations from the national decision-making processes.

77. A number of interlocutors in densely populated minority regions, including Gagauzia and Taraclia, complained about the lack of consultations and information by the central Government with regard to important processes of reforms affecting them, including the administrative territorial reform.

78. In Taraclia, where Bulgarians constitute almost 70 per cent of the population, the Special Rapporteur heard concerns from a large number of stakeholders with respect to the possibility of losing the status of district and the perception that their concerns were not being taken into account by the central State authorities. Furthermore, some interviewees regretted the lack of Bulgarian representation at the central Government.

79. Representatives from Roma civil society organizations noted the almost non-existent participation of Roma at the political level and regretted the abolishment of the position of "adviser for Roma issues", which had been part of the Prime Minister's Office.

80. The Special Rapporteur learned that a working group consisting of members of the Moldovan Parliament and the Gagauzian Peoples' Assembly had been created to discuss matters of common concern. She hopes that similar initiatives of dialogue between the Government and the regions with a relevant presence of minorities can be replicated and taken further to promote dialogue and trust-building and to address issues of mutual interest.

81. The Special Rapporteur requested information on the staff composition of the different public institutions, including ministries and other government agencies, and learned that, in general, there was a lack of data making it possible to assess in full compliance with standards of personal data protection and privacy the ethnic, linguistic and religious composition of the workforce. She would like to encourage government agencies and public institutions to conduct internal surveys to examine the composition of their staff in order to assess whether the diversity of the population is reflected and take appropriate actions.

VIII. Media

82. Many interlocutors consulted expressed concern that the media did not seem to reflect the diversity inherent to the Republic of Moldova with respect to minorities. While the existence of programmes broadcast in minority languages was acknowledged, it was also noted that the number of hours allocated to them was insufficient, with an average of two hours every two weeks allocated for minority programmes on the public television station Moldova 1.

83. Another issue of particular concern refers to the various reports received during the visit with respect to the propagation of negative and demeaning stereotypes in the media against some minority groups, in particular Muslim and Roma communities. Emphasis on the ethnic or religious background of a person responsible for a criminal offense was described as common and a contributing factor to negative perceptions and generalizations

84. With regard to Roma, the Special Rapporteur was informed that on many occasions they were portrayed as "beggars" and "criminals" in the media, fuelling further anti-Roma sentiments. Some Roma interviewees believed that there should be more success stories of Roma to reflect reality. In the view of some interlocutors, the Audiovisual Coordinating Council, which is tasked, inter alia, with sanctioning powers in case of violations of the broadcasting legislation, should take concrete measures to address and prevent discrimination against minority groups.

IX. Transnistrian region of the Republic of Moldova

85. The Special Rapporteur travelled to the Transnistrian region of the Republic of Moldova, where she had the chance to meet with the de facto authorities and with a number of representatives from civil society organizations. She held consultations in Tiraspol, Rashkov and Kamenka.

86. The de facto authorities stated their adherence to the international human rights legal framework and acknowledged the relevant recommendations presented in 2013 by United Nations Senior Expert Thomas Hammarberg.[33]

87. The Special Rapporteur was informed that the Transnistrian region is home to three main ethnic groups — Moldovans, Russians and Ukrainians — together with other smaller ones, including Armenians, Bulgarians, Gagauzians, Poles and Roma. The three official languages are Moldovan, Russian and Ukrainian. She was made aware that the majority of the population belong to the Orthodox Church, although other religious groups coexist, including Adventists, Catholics, Jehovah's Witnesses, Jews, Lutherans and Protestants.

88. At present, the Transnistrian region also faces serious economic challenges, and a shortage of financial resources was pointed out by both the de facto authorities and civil society organizations as a major concern. Migratory flows from other regions, particularly Gagauzia, and the emigration of young people to neighbouring countries were also noted.

89. A population census was conducted in the region in 2015 but the results were yet to be made public. Civil society representatives stated that the census included a question on ethnic background but did not contain a specific question on religious affiliation.

90. It was highlighted that, despite the fact that Moldovan, Russian and Ukrainian were official languages, Russian was the dominant one in the public sphere. Some interlocutors pointed out that, although official documents included headings in the three official languages, the information contained therein was conveyed primarily in Russian.

91. With respect to education, the Special Rapporteur was informed that Russian was spoken at the vast majority of schools, although Bulgarian and Ukrainian were spoken at some educational institutions and Moldovan Cyrillic script was used at a number of schools. The de facto authorities acknowledged that a number of issues remained with respect to the schools where Moldovan Latin script was used; however, since they did not have access to those schools, they could not verify that the education standards there met those of the Transnistrian region.[34] The authorities noted the existence of scientific and

[33] See "Report on Human Rights in the Transnistrian Region of the Republic of Moldova", available from http://md.one.un.org/content/dam/unct/moldova/docs/pub/Senior_Expert_Hammarberg_Report_TN_Human_Rights.pdf.

[34] See, inter alia, *Catan and others v. Moldova and Russia*, European Court of Human Rights, Judgment dated 19 October 2012, available from http://hudoc.echr.coe.int/eng?i=001-114082; Organization for Security and Cooperation in Europe, The Moldovan-Administered Latin-Script Schools in Transdniestria (Chisinau, 2012), available from www.osce.org/moldova/99058?download=true; and

educational centres at the university level that undertake studies and research on language, including Moldovan.

X. Conclusions and recommendations

92. **The Republic of Moldova is a multi-ethnic, multireligious and multicultural society in which the individual identities of persons belonging to minorities are often multiple and multilayered. It is crucial that this inherent diversity is valued as an important asset and strength of the country.**

93. **Although for the most part peaceful inter-ethnic and interfaith relations prevail and there is a legislative framework generally conducive to the protection of minority rights, a deepening divide along ethnic, linguistic and other communal lines, coupled with political and financial instability and the politicization of the use of languages, have led to heightened tensions in recent years and might threaten peaceful coexistence if not adequately resolved.**

94. **Realizing the rights of minorities is not only an essential means to prevent tensions from emerging but also constitutes an instrumental element of good governance. The Special Rapporteur encourages the Government to make minority rights protection and promotion an important and robust part of its public agenda and human rights planning.**

95. **The Republic of Moldova has made important efforts in shaping a legal and institutional framework to protect and promote minority rights. Those efforts need to be complemented with targeted and strategic actions for an actual implementation. Dedicated and sufficient budget provisions for plans, the strengthening of institutional attention to minority issues, continuous communication and consultation with minority groups and regions with relevant minority populations and the promotion of diversity, including through the reform of the school curriculum, are key to achieving the required results.**

Census

96. **The 2004 census is largely outdated and the Government should make all the arrangements necessary to allow the National Statistics Bureau to process the data and publish the results of the 2014 census as a matter of urgency, and to provide data disaggregated by, inter alia, gender, ethnicity, language and religious affiliation. Such an analysis can be crucial to highlight the vulnerability of the different population groups and to enable legislators and policymakers to establish targeted programmes for them.**

Legal and institutional framework

97. **The Republic of Moldova has adopted a number of laws, strategies, action plans and policies to protect and promote integration of ethno-linguistic groups. The Law on the Functioning of Languages has been applied to regulate language use since 1989. The 2001 Law with Regard to the Rights of Persons belonging to National Minorities and Legal Status of their Organizations sets a basic framework for minority rights protection. The 2012 Law on Ensuring Equality is ground-breaking in the prevention of and fight against discrimination and in ensuring equal rights in political, economic, social, cultural and other aspects of life, including for minorities.**

[1] Report on Human Rights" (footnote 33 above).

More recently, the 2016-2020 Roma Action Plan, the Inter-Ethnic Integration Strategy 2016-2025 and the 2017-2020 Human Rights Plan have been adopted or are in the process of being adopted. The Special Rapporteur urges the Government to develop an implementation road map for the action plans and the strategy and to provide sufficient and secured budget for them.

98. Institutional attention to minority rights should be strengthened. The Special Rapporteur recommends that sufficient funding be provided to both the Bureau of Inter-Ethnic Relations and the Equality Council, given their important roles in monitoring the overall situation of minorities, serving as a bridge to minority communities, ensuring non-discrimination and implementing relevant laws and policies. Furthermore, she recommends that the Government take the steps necessary to expand the functions of both institutions, so they can adequately and comprehensively fulfil their mandates.

99. A dedicated minority rights mechanism should be established in the Government in the form of a permanent secretariat in charge of coordinating minority issues, with the inclusion of representatives of minority communities.

100. The Special Rapporteur encourages the Government to ratify the European Charter for Regional or Minority Languages, which was signed by the Republic of Moldova in 2002, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Rights of Persons with Disabilities.

101. The Government should consider observing the International Decade for People of African Descent 2015-2024, including the implementation of the Programme of Activities presented by the General Assembly as a framework to help combat discrimination against African-descent people.

Linguistic rights

102. The Government should take the measures necessary to guarantee a quality education in the State language for all, and consider the design and implementation of bilingual and multilingual education programmes to ensure that minorities can learn and receive instruction in their own language/mother tongue.

103. The Special Rapporteur urges the Government to redouble efforts in order to guarantee the free choice to use the State language, Russian or a minority language when addressing public institutions. She recommends that the Government make the official websites available in minority languages. She further urges the Government to guarantee the possibility for minorities to have their names written in compliance with their relevant language standards, and for Russian minorities to have their patronymics issued in their identity cards.

Religious minorities

104. The Republic of Moldova has a wide range of religious and belief groups, and religious freedoms and the rights of religious minorities are to a large extent protected. The Special Rapporteur notes that concerns were expressed to her about the favourable treatment by the State of the Orthodox Church and its influence in determining societal morals and values. She calls on the Government to ensure the implementation of the recommendations regarding religious minorities made by the Special Rapporteur on freedom of religion or belief following his visits to the Republic of Moldova, and to revise the requirement of 100 signatories of Moldovan nationality to register a religious organization.

Roma

105. Roma communities continue to experience economic, social and political marginalization and are often victims of discrimination, particularly when gaining access to the labour market, education and health-care services. The situation of Roma children and women and girls is of particular concern.

106. In order to tackle the long-term marginalization experienced by many Roma communities, it is essential that the new Roma Action Plan 2016-2020 be sufficiently financed and its implementation effectively monitored and assessed. The genuine involvement of and consultation with Roma representatives during the entire duration should be ensured and a specific gender dimension introduced. The creation of a focal point for Roma issues at the governmental and ministerial levels should be considered as a means of providing institutional support and visibility to Roma.

107. Given the importance of the work undertaken by Roma mediators and their positive results in advancing the rights of Roma, the Special Rapporteur strongly recommends that measures be taken to fill all vacant positions and that sufficient funding be allocated to secure their salaries. In that regard, she encourages dialogue between the central Government and the local administrations concerned to negotiate a solution to ensure that mediators can be hired and sufficiently paid in order to perform their functions.

Political participation

108. Full and equal participation of minorities in public life, including political participation at the national, regional and local levels, is one of the fundamental pillars of minority rights. The Special Rapporteur urges the Government to consider adopting measures aimed at ensuring and strengthening the political participation of minorities in the Republic of Moldova and their full involvement in decision-making bodies, including through reserved seats or the redrawing of electoral districts to allow densely populated minority communities to elect their own representatives.

109. The Special Rapporteur recommends the mapping of minority communities and the development of a needs assessment in dialogue with them, in order to identify the communities' needs and jointly consider possible measures to be implemented. In particular, she calls on Moldovan authorities to strongly take into account the minority dimension in its administrative reforms, including in any eventual administrative territorial reform.

Media

110. Minority media plays an important role in preserving the language, culture and identity of minority groups. The Government should consider measures to increase the number of television programmes in minority languages broadcast in public media, in consultation with minority communities.

111. The Special Rapporteur encourages media outlets to maintain the highest standards of ethical journalism and avoid stereotyping individuals and groups, and to implement programmes to train, recruit and support media workers belonging to minority groups.

Education and awareness-raising

112. National curriculums and textbooks should reflect the diversity of Moldovan society, including the contribution of ethnic minorities to the makeup of the country. A substantial review of the subject on civic education should be considered.

113. **The Special Rapporteur encourages government agencies and public institutions to conduct internal surveys to examine the composition of their staff and consider the design and implementation of specific programmes to provide improved access for underrepresented groups to public positions.**

114. **The State should conduct awareness-raising campaigns on the diversity of the population composition of the Republic of Moldova, with the aim of eliminating stereotypes and fostering intercultural dialogue among groups.**

Transnistrian Region of the Republic of Moldova

115. **All of the key decision makers in the Region are urged to redouble efforts to fully implement the recommendations presented by United Nations Senior Expert Thomas Hammarberg and by the Special Rapporteur on freedom of religion or belief, including those related to the mandate of the Special Rapporteur on minority issues. In particular, the Special Rapporteur encourages the regional decision makers to establish a commission with minority members from the region that would serve as a channel to key decision makers.**